

**Date:** July 8, 2014

**To:** Thomas J. Bonfield, City Manager

**Through:** W. Bowman Ferguson, Deputy City Manager

**From:** Joel V. Reitzer, Jr., Director, General Services Department

**Subject:** Contract between Musco Sports Lighting, LLC and the City of Durham for Sports Lighting at Snow Hill Road Park Soccer Fields

### **Executive Summary**

Snow Hill Road Park located at 619 Snow Hill Road, was built in conjunction with Durham Public School's construction of Lucas Middle School and completed in 2012. The park currently includes two soccer fields, one baseball field and one softball field. At the time of Durham Public School's construction of the athletic fields, neither field lighting nor irrigation was included. Funding for lighting and irrigation of the two soccer fields was approved through the City's FY 2013/14 CIP. Installation of field lighting at the soccer fields will make the fields suitable for league play programming and use year round.

The City proposes to execute a contract for the Musco Light-Structure Green Lighting System without competitive bidding, as the Musco system is the standard system for remote control sports lighting in City parks. The Musco Lighting System is in operation at 37 City of Durham sports fields and tennis courts, including the Durham Bulls Athletic Park and Durham Athletic Park. A contract for the purchase and installation of the lighting system is permitted under the sole-source exception to public contracting authorized by NCGS 143-129 (e) (6) on the basis of one or more of the following: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration.

### **Recommendation:**

That the City Council:

1. Approve the purchase and installation of new Musco Light-Structure Green Lighting System without competitive bidding on the basis of the following: (a) performance and price competition for critical elements of the patented lighting technology are not available; (b) The Musco Light-Structure Green Lighting System is available from only one source of supply; and (c) The integral remote monitoring system is compatible with systems already in place in 37 City of Durham fields and facilities, which helps to standardize citywide remote monitoring systems.

2. Authorize the City Manager to enter into a contract with Musco Sports Lighting, LLC, in the amount of \$261,800.00 for the Purchase and Installation of Sports Lighting for the Snow Hill Road Park Soccer Fields which includes (8) new light poles with mounted fixtures, accompanying ballast boxes and providing electrical connections for the remote Control Link monitoring system.
3. Establish a project contingency in the amount of \$26,000.00 and to authorize the City Manager to negotiate and execute change orders on the Purchase and Installation of Sports Lighting for the Snow Hill Road Park Soccer Fields contract, provided the total project cost does not exceed the amount budgeted for the installation phase plus the project contingency.

## **Background**

The City has a need for more soccer fields that can accommodate league play. By adding sports lighting at the Snow Hill Road Park soccer fields, two additional soccer fields will be available for programming and use in the evenings. The Musco Light-Structure Green Lighting System is compatible with the system that controls and monitors sports lighting at many City parks and achieves greater product performance over other competitive lighting systems in the following ways:

### Musco's Smart Lamp Technology:

Musco's Light-Structure Green System guarantees light levels over the life of the lamp using a proprietary Smart Lamp technology. Musco Sports Lighting is the only manufacturer that can provide an independent test report certifying the system meets the lumen maintenance control strategy and has verified the field performance of the system for the duration of the useful life of the lamp based on lamp replacement hours.

### Musco's Control Link System:

Control link is a reliable, cost effective system that will help to control, proactively monitor, and manage the field lights at Snow Hill Road Park. Musco is the only manufacturer that can provide the Control Link Central team—staffed 24/7 to assist with scheduling and reporting needs. It allows for remote scheduling via phone or internet and provides detailed documentation of the field usage. Control Link is what allows Musco to notify Parks and Recreation of an outage or schedule conflict by sending a signal out to the system on a daily basis to detect any operating issues that may impact a play schedule. Musco's Control Link is the only patented system that both controls and monitors the system performance remotely which is essential to the 25 year warranty. Other benefits include:

- Saves energy and staff costs
- Allows flexible control
- Integrates with existing Control Link System throughout the City
- Increases security

Further, Musco's Light-Structure Green Lighting System will provide additional benefits to the City including the following:

Musco's Environmental Approach:

- Reducing energy consumption by over 40% over traditional lighting systems;
- Life cycle cost savings (energy and maintenance costs) of over \$76,000.00 when compared to conventional lighting systems; and
- Using 39% fewer fixtures over traditional lighting systems.

Musco's Warranty:

- Musco supplies a signed warranty covering the entire system for 25 years. Warranty guarantees that light levels never fall below the target level throughout the lamp life; lamp replacements; system energy consumption; monitoring, all communication fees, maintenance and control services and spill light control.

**Issues and Analysis:**

Purchasing without competitive bidding is allowed in certain instances under North Carolina law as an exception to public contracting in accordance with NCGS 143-129 (e) (6) when it can be shown that "(i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration."

A contract for the purchase and installation of the Musco Light-Structure Green Lighting System meets the exception criteria above on the basis of: (a) performance and price competition for critical elements of the patented lighting technology are not available; (b) The Musco Light-Structure Green Lighting System is available from only one source of supply; and (c) The integral remote monitoring system is compatible with sports lighting systems already in place at 37 other City of Durham fields and facilities including the DBAP and DAP, and will continue the standardization of citywide remote monitoring systems.

The schedule for purchase and installation of the Musco lighting system is twelve weeks from notice to proceed. The separate irrigation project will be advertised for bids in August and is expected to have a duration of seven weeks.

**Alternatives**

There are no known alternatives at this time that meet the performance, compatibility and standardization for citywide remote control and monitoring systems at City's athletic fields.

**Financial Impact**

Project Funding CH058:

Installment Sales	3000H000	\$550,000.00
<u>Total appropriated funds</u>		<u>\$550,000.00</u>

Funding Uses Summary:

Purchase and Installation Budget	\$261,800.00
Project Contingency	\$26,000.00
Misc. Owner Costs*	\$156.00
Funding for Future Soccer Field Irrigation Project	\$262,044.00
<b><u>Total Project Budget</u></b>	<b><u>\$550,000.00</u></b>

\*These expenses typically include printing, mailing,  
surveying, municipal review fees, etc.

**SDBE Summary**

This is a sole source item that was not reviewed by the Department of Equal Opportunity/Equity Assurance for compliance with the Ordinance to Promote Equal Business Opportunities with City Contracting.

**Attachment:**

- Musco Sports Lighting, LLC Contract
- Map of the Snow Hill Road Park location for reference/visual